

# EXHIBIT E

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

ELIZABETH SINES, et al., )  
)  
Plaintiffs, )  
) Civil Action No.  
vs. ) 3:17-cv-00072-NKM  
)  
JASON KESSLER, et al., )  
)  
Defendants. )  

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REMOTE VIDEOTAPED DEPOSITION OF  
BURT COLUCCI  
Tuesday, August 11, 2020

STENOGRAPHICALLY REPORTED BY:  
RHONDA HALL-BREUWET, RDR, CRR, LCR, CCR, FPR  
JOB NO. 182274

1 BURT COLUCCI

2 Q. And who made the decision to delete  
3 those?

4 A. I did.

5 Q. Why did you make that decision?

6 A. The court order specifically said --  
7 I believe it was either the July 5th or  
8 July 6th until July 10th -- that IDS had a  
9 legal responsibility per the court order to  
10 give that information to the plaintiffs on  
11 July 11th. There was no reason for those  
12 accounts to exist anymore because the  
13 plaintiff should have had that information,  
14 whatever nonresponsive material would have  
15 been in those accounts, in their possession.  
16 So I guess apparently IDS dropped the ball on  
17 that.

18 Q. When you say "IDS dropped the ball  
19 on that," you mean that they were not able to  
20 log in with the password that you provided to  
21 them, correct?

22 A. That's my understanding of it, all  
23 these weeks later, yes.

24 Q. Did you do anything to save the  
25 contents of the nsm88.org email addresses

1 BURT COLUCCI

2 before you deleted them?

3 A. Absolutely not.

4 Q. Has anyone else had accounts --  
5 excuse me. Has anyone else had access to the  
6 accounts that end in nsm88.org?

7 A. We have a couple of people that have  
8 those addresses that use nsm88.org domain. I  
9 believe that's Daniel -- Daniel Burnside and  
10 Harry Hughes. I believe those are the only  
11 two I can think of.

12 Q. Daniel Burnside and Harry Hughes  
13 have their own email addresses that end in  
14 nsm88.org?

15 A. Correct.

16 Q. Have you deleted those email  
17 addresses also?

18 A. No.

19 Q. Did you provide IDS with the  
20 credentials to those email addresses?

21 A. No. I would not have had those  
22 credentials to provide.

23 Q. Did you ask Harry Hughes for his  
24 password?

25 A. I didn't know I was supposed to.

C E R T I F I C A T E

STATE OF FLORIDA:

I, RHONDA HALL-BREUWET, RDR, CRR,  
LCR, CCR, FPR, stenographic shorthand reporter,  
do hereby certify:

That the witness whose deposition is  
hereinbefore set forth was duly sworn, and that  
such deposition is a true record of the  
testimony given by such witness.

I further certify that I am not  
related to any of the parties to this action by  
blood or marriage, and that I am in no way  
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 17th day of August, 2020.



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RHONDA HALL-BREUWET, RDR, CRR, LCR, CCR, FPR  
Stenographic Shorthand Reporter